GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - PR&RD Dept. - Allegation of corruption against Smt. Mattam Rudramma, former Divisional Panchayat Officer, Guntur (now retired) – Trapped on 04.06.2004 by the Anti-Corruption Bureau authorities - Prosecuted in a Court of Law - Convicted - Imposed penalty of withholding pension and gratuity in full and permanently – Allowed and acquitted in the Criminal Appeal filed before the High Court of A.P. – Set aside the punishment - Release of pensionary benefits from the date of retirement and regularization of suspension period from 04.06.2004 to 31.03.2007 as NOT ON DUTY - Orders - Issued.

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PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.IV) DEPARTMENT

G.O.Rt.No.789 **Dated:10-10-2025**

Read the following:

1. G.O.Ms.No.93, PR & RD (Vig.IV) Department, dt.29.03.2005.
2. Judgment of Spl.Judge for SPE&ACB Cases, Vijayawada dt.9.4.2008 in CC.No.16/2005.
3. Govt. Memo No.5130/Vig.IV.A2/2004-3, dt.09.07.2008.
4. G.O.Rt.No.1590, PR & RD (Vig.IV) Department, dt. 22.10.2008.
5. Rc.No.127/RCT-VGT/2004, dt.19-09-2024 of Director General, Anti- Corruption Bureau, A.P., Vijayawada.
6. Representation of Smt. M.Rudramma, former Divisional Panchayat Officer, Guntur (Retd.), dt.nil.
7. Letter Rc.No.2825781/CPR&RD/VIG-ACB/2025, dt.07.07.2025 of Commissioner, PR&RD.

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O R D E R:

It has been brought to the notice of the Government that, Smt.Mattam Rudramma, former Divisional Panchayat Officer, Guntur (now retired) was trapped on 04.06.2004 by the Anti-Corruption Bureau authorities, when she had demanded and accepted an amount of Rs.500/- as bribe from the complainant for forwarding his pension papers. The Collector & District Magistrate, Guntur had placed her under suspension from 04.06.2004.

2. Government, in the reference 1st read above, have accorded permission to prosecute Smt. Mattam Rudramma, Divisional Panchayat Officer, Guntur (now retd.) in a Court of Law and accordingly the Director General, Anti-Corruption Bureau, had filed charge sheet in the Court of Spl. Judge for SPE&ACB Cases, Vijayawada in CC No.16/2005 against Smt. Mattam Rudramma, Divisional Panchayat Officer, Guntur (now retd.).

3. In the reference 2nd read above, the Spl. Judge for SPE & ACB cases, Vijayawada had pronounced judgment convicting Smt. Mattam Rudramma, Divisional Panchayat Officer, Guntur district (now retd.) under Section 245(2) of Cr.P.C. and sentenced to undergo S.I for one year and to pay a fine of Rs. 1,000/- in default to suffer S.I., for (3) months for the offence punishable under Section 7 of Prevention of Corruption Act and further sentenced to undergo S.I. for one year and also to pay fine of Rs.1,000/- in default to suffer S.I. for (3) months for the offence punishable under Section 13(1)(d) r/w Sec.13(2) of P.C. Act. The sentence of imprisonment was ordered to run concurrently.

4. In the reference 3rd read above, a Show Cause Notice was issued to Smt. Mattam Rudramma, Divisional Panchayat Officer, Guntur (now retd.) calling for her explanation on the provisional decision of the Government to impose the penalty of 'stoppage of pension & gratuity in full and permanently' against Smt. Mattam Rudramma, Divisional Panchayat Officer, Guntur (now retd.) on her conviction, under rule 8(1) (b) & 8(2) of A.P. Revised Pension Rules, 1980.

(Contd.2)

5. In the reference 4th read above, Government had examined the explanation submitted by Smt. M.Rudramma, Divisional Panchayat Officer, Guntur (now retd.) and found that the Hon'ble High Court suspended the sentence of imprisonment alone and not the judgment of the Trial Court. Hence, Government after careful examination of the matter with material on record, have imposed the penalty of 'withholding pension & gratuity full and permanently' against Smt. M.Rudramma, Divisional Panchayat Officer Guntur district (Retd.) under rule 8(1)(b) & 8(2) of A.P.Revised Pension Rules, 1980, for the conduct which led to her conviction on a criminal charge.

6. In the reference 5th read above, the Director General, ACB has informed that aggrieved by the judgment of the Trial Court, the A.O. Smt. Mattam Rudramma, Divisional Panchayat Officer, Guntur (now retd.) has filed Criminal Appeal No.530/2008 before the Hon'ble High Court of Andhra Pradesh. The Hon'ble High Court on 27.11.2023 allowed the Criminal Appeal preferred by the A.O. and set aside the conviction and sentences passed by the Trial Court in CC No.16/2005 and acquitted the Accused Officer. The Director General, ACB has finally opined that it is not a fit case to prefer S.L.P. in the Supreme Court of India. The judgment of Hon'ble High Court dt.27.11.2023 in Crl.A.No.530 of 2008 is extracted as below:

XXX

23. In the above decision, the Hon'ble Apex Court has categorically observed that mere possession and recovery of currency notes from the accused, without there being any proof of demand, would not bring home the offence under Section 7 of the Act. It was also observed that the above also would be conclusive insofar as the offence under Section 13(1)(d)(i)(ii) is concerned as in the absence of any proof of demand for illegal gratification, the use of corrupt or illegal means or abuse of position as a public servant to obtain any valuable thing or pecuniary advantage cannot be held to be established.

24. Coming to the case on hand, it is relevant to mention here that it is not the case of the prosecution that the accused officer has not signed on the pension papers. It is admitted that the pension papers were signed and sent to the District Audit Officer. As some signatures are missing in the pension papers, PW4 returned the same. It is an admitted fact that even before conducting of trap proceedings, the pension papers pertaining to PW1 were already signed by the accused officer and sent to the District Audit Office. If such is the case, the question of any official favour or demanding money as bribe by the accused officer would not arise. Therefore, this Court is inclined to hold that the learned Special Judge was not correct in holding that the demand alleged to be made by the accused officer was proved. Mere possession and recovery of the currency notes from the accused officer without proof of demand will not bring home the aforesaid offences. Keeping in view the above circumstances and the judgment of the Hon'ble Apex Court as cited supra, this Court is of the considered opinion that the conviction of the appellant/accused officer cannot be sustained, and the judgment passed by the learned Special Judge is liable to be set aside.

25. In the result, the Criminal Appeal is allowed and the conviction and sentence passed by the learned Special Judge for SPE and ACB Cases, Vijayawada, in the judgment in CC No.16 of 2005, dated 09.04.2008 are set aside. The appellant/accused officer is acquitted of the charges leveled against her and she is set at liberty. The bail bonds, if any, shall stand discharged. Fine amount, if any, paid by the appellant shall be refunded to her.

(Contd.3)

7. In the reference 7th read above, the Commissioner, PR&RD., has submitted a copy of the representation of Smt. M.Rudramma, former Divisional Panchayat Officer, Guntur (now retd.) requesting for sanction of her retirement benefits and arrears along with the report submitted by the District Panchayat Officer, Guntur district and requested the Government to issue necessary orders in the matter.

8. After careful examination of the matter, Government hereby set aside the orders issued in reference 4th read above, i.e., imposing penalty of withholding of pension and gratuity full and permanently imposed against Smt. M.Rudramma, former Divisional Panchayat Officer, Guntur District (now retd.) and also release all Pensionary benefits from the date of retirement as per rules in view of orders of Hon'ble High Court of Andhra Pradesh, duly regularizing the suspension period from 04.6.2004 to 31.03.2007 as "NOT ON DUTY" under Fundamental Rules (FR) 54-B (7).

9. The Commissioner, Panchayat Raj & Rural Development, A.P., Tadepalli, Guntur district shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
Smt. M.Rudramma, former Divisional Panchayat Officer, Guntur district (Retd.) (Through Regd. post with acknowledgement due)
The Commissioner, Panchayat Raj & Rural Development, A.P., Tadepalli, Guntur district (for information and necessary action to serve the G.O. to the individual and furnish served copy with dated acknowledgement).
Copy to:
The Secretary to Vigilance Commission, A.P.Vigilance Commission, A.P.Secretariat, Velagapudi.
The Director General, ACB, A.P., Vijayawada.
The O.S.D. to Dy. Chief Minister (PR&RD), A.P.Secretariat.
The P.S. to Principal Secretary to Govt., PR&RD Dept.
SC/SF (2935415)

//FORWARDED::BY::ORDER//

SECTION OFFICER